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RECEIVED
HON. JAMES ORENSTEIN
★ JUL 1[illegible] 2006 ★

July 14, 2006

Judge James Orenstein
225 Cadman Plaza East
Brooklyn, NY 11201
Tel: 718-613-2110
Fax: 718-613-2114
Email: jorenstein_chambers@nyed.uscourts.gov

Subject: $4.1 million fee of Burt Neuborne.

Dear Judge Orenstein;

I was a class member in the Swiss and German class action law suits and opted out, in accordance with legal procedures without any help from Burt Neuborne, because of what I perceived, already at the outset of the case, as incompetence on the part of attorney Burt Neuborne. I felt that in negotiating with the defendants Mr. Neuborne strived to conclude the settlements that included terms mainly favoring the Swiss and German defendants.

Neuborne, as lead negotiator, settled both with the Swiss and the Germans under terms that are grossly unfavorable and unfair to the victims. Under these agreements the higher the number of companies that sign on to the cases the less each has to pay and the more plaintiffs that sign on the less money each victim receives from each settlement. Yet Neuborne, for publicity, only touts the gross amounts of the settlements, never the "peanuts", to quote a well known US judge, that each victim is getting. Burt Neuborne has ignored the facts that equity required that both defendants return to the plaintiffs the current value of materials or payment for labor performed, that was taken from them up through 1945- the end of WWII, and include amounts for interest and inflation factors up through the current settlement date.

At the outset of the Swiss case many of us, including myself, were turned down by Burt Neuborne, "our attorney", from providing assistance and to engage in discussion with him about the cases, and to suggest equitable settlement terms. He turned me down with the words "I am representing you pro bono", as the attached copy of an E-mail sent by Burt Neuborne to the NATION magazine documents it. I

repeat, Burt Neuborne has never helped me opt out of any case and his statement that he did is another, among many, of his self glorifying untrue statements. He came into the cases as a volunteer working pro bono and said so to everyone. He now wants to walk away rich after destroying our chances for fair recovery.

Burt Neuborne has profited handsomely already, to the tune of $4 million paid to him by the defendants in the German Settlement, for the drafting of an agreement that favors German companies, not the victims. Part of this group is SIEMENS the contractor for whom I worked at age 14 in 1944 at Buchenwald Concentration Camp. My father, a medical doctor, and my brother also worked there; the former was exterminated after he was worn down by the miserable treatment and starvation.

By now seeking a $4.1 million fee in the Swiss case Mr. Neuborne appears to have become emboldened by his success in collecting $4 million in the German case and apparently feels that he is untouchable.

Your Honor, we are relying on your sense of decency to send a signal that the victims of WWII are not here to be fleeced and to deny Mr. Neuborne any fee for the inequitable settlement that he was instrumental in negotiating and now contradicts his own words of having worked pro bono.

Sincerely,

Paul N. Frenkel

ENCLOSURE

"Date:
Wed, 10 Jan 2001 08:49:43 -0500
From:
"Burt Neuborne" <NEUBORNE@juris.law.nyu.edu>
To:
<rnf@javanet.com>

Judith - this breaks my heart - really. I'm not taking a penny in fees. I worked myself into utter exhaustion attempting to do the best i could. Apart from the irrational rage that bubbles through the letter, mr Frenkel doesn't say that i arranged for him to opt out of the settlement so that he could pursue whatever remedies he wanted. He knows that you can't do better than we did. Otherwise, he would do it himself. It's tragic that the lives of Holocaust survivors have been so embittered that some just lash out at anyone and anything that touches the pain. Thanks for sending it to me. Burt "

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